

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan E. Ellingsen et al. Art Unit :
Serial No. : Examiner :
Filed : June 23, 2000
Title : METALLIC IMPLANT AND PROCESS FOR TREATING A METALLIC
IMPLANT

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the action mailed March 16, 2000 in parent application U.S.S.N. 08/446,675, applicants have filed this continuation-in-part application and remark as to the rejection in the March 16, 2000 office action as set forth below.

REMARKS

In the office action mailed March 16, 2000 in parent application U.S.S.N. 08/446,675, the claims were rejected on the basis of Baswell (EP 0202031; mistakenly numbered 0282031 in the office action) alone, Haruyaki (JP 3146679) alone, and Chung U.S. Patent No. 5,039,546 alone. These references do not anticipate or render the claimed inventions obvious for the following reasons.

Baswell (EP 0202031)

Baswell et al., and the inventions claimed herein relate to completely different things. The main object of the teachings of Baswell et al. is to "minimize tissue fixation normally associated with rough surfaced implants" (see column 2, lines 40-41), and thus to provide implants with smooth surfaces. The purpose of the present invention is quite the contrary to

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